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June 13, 2010

**By ECF**

The Honorable Joanna Seybert  
United States District Judge  
Eastern District of New York  
1034 Federal Plaza  
Central Islip, NY 11722

**Re:     United States v. David H. Brooks, 06-CR-550 (JS)**

Dear Judge Seybert:

Pursuant to Fed. R. Crim. P. 16(b)(1)(C), defendant David H. Brooks respectfully submits this letter to supplement his prior expert disclosure for Professor Jaime F. Zender (docket no. 1096). As previously noted, the scope of Professor Zender's expert testimony will be substantially the same as that of Professor James, as described in Mr. Brooks' prior disclosure letter. See docket no. 988, at 3-4. While it is expected that the documents relied upon by Professor Zender and the exhibits that will be used during his direct examination will be largely the same as those previously disclosed in connection with Professor James' expected testimony (see docket nos. 1024, 1042), Professor Zender will not be relying on the following documents previously produced in conjunction with the expert disclosure of Professor James:

- (1) Professor James' curriculum vita (DB-CJ-1);
- (2) Miller Johnson Steichen Kinnard Research Reports and Research Updates (3500-CJ-0056 – 63; 3500-CJ-0067 – 79; 3500-CJ-0178 – 193);
- (3) Feltl and Company Research Reports (3500-CJ-0312 – 329);
- (4) PriceTarget Research (3500-CJ-0330 – 0901);
- (5) DHB Industries, Inc. Earnings Conference Call Transcripts (3500-CJ-1030 – 1058; 3500-CJ-2674 – 2697);

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- (6) DHB Industries, Inc. Stock Price List (Source: Bloomberg) (3500-CJ-1059 – 1085);
- (7) Government Exhibit 5137 (3500-CJ-2455 – 2544);
- (8) Form 10-Q Point Blank Solutions, Inc. for the period ending September 30, 2005 (3500-CJ-2228 – 2281);
- (9) Form 10-Q Point Blank Solutions, Inc. for the period ending March 31, 2007 (3500-CJ-2282 – 2321);
- (10) Form 10-Q Point Blank Solutions, Inc. for the period ending June 30, 2007 (3500-CJ-2322 – 2362);
- (11) Form 10-Q Point Blank Solutions, Inc. for the period ending September 30, 2007 (3500-CJ-2363 – 2398); and
- (12) Form 10-K Point Blank Solutions, Inc. for the period ending December 31, 2006 (3500-CJ-1429 – 1756).

In addition, please find attached additional discovery documents and related materials with respect to Professor Zender (3500-JZ-00001 - 000356). These additional materials upon which Professor Zender will rely are: (1) the Complaint filed by UNITE; (2) charts reflecting the price of the stock of Armor Holdings, Inc. and Ceradyne, Inc.; (3) an integrated chronology of news articles and reaction to changes in DHB's stock price; (4) DHB Industries, Inc. Stock Price List (Source: Bloomberg); (5) 10-K filed by Armor Holdings, Inc.; (6) 10-K filed by Ceradyne, Inc.; and (7) an updated list of slides that will be presented during Professor Zender's testimony.

Respectfully submitted,

/s/

Kenneth W. Ravenell

Enclosure  
cc: All counsel (w/ encl.)